

1 accept that. May I say, Mr. Chairman, even though it may
2 be implicit in the word confrontation and this matter was
3 discussed at some length at the Commission level, and for
4 this reason the words were inserted in the Commission draft,
5 which is identical language in the Commission draft. The
6 Committee Report states that the word confrontation implies
7 the right of cross-examination, but they cite no authority.
8 Indeed, I think there is no authority to necessarily imply
9 that the word confronted could not be by judicial
10 interpretation watered down to mean simply what the word
11 confronted usually means, and that is giving of the testi-
12 mony affirmatively in the presence of the party without
13 necessarily right to cross-examination.

14 THE CHAIRMAN: Perhaps the Chair has misunderstood
15 your purpsoe. I think the amendment that you offer would
16 undoubtedly accomplish your purpsoe if you are not intending
17 to obtain by it the right of pre-trial examination of
18 adverse witnesses.

19 DELEGATE ADKINS: That was certainly not my
20 initial intention.

21 THE CHAIRMAN: The Chair misunderstood your